



RE: FOIA Request #CFPB-2013-213-F

August 13, 2013

Mr. Robert Delaware
MuckRock News
DEPT MR 6464 PO Box 55819
Boston, Massachusetts 02205-5819

Dear Mr. Delaware:

This letter is to inform you that on August 13, 2013, the Consumer Financial Protection Bureau (CFPB) received your Freedom of Information Act (FOIA) request dated August 12, 2013. Your request sought all memos, emails or reports related to the CFPB's Social Media strategy.

As it relates to your fee waiver request, your request will be held in abeyance pending the quantification of responsive records. The CFPB Interim FOIA regulations, set forth six factors to examine in determining whether the applicable legal standard for a fee waiver has been met: (1) Whether the subject of the requested records concerns "the operations or activities of the government;" (2) Whether the disclosure is "likely to contribute" to an understanding of government operations or activities; (3) Whether disclosure of the requested information will contribute to the understanding of the public at large, as opposed to the individual understanding of the requestor or a narrow segment of interested persons; (4) Whether the contribution to public understanding of government operations or activities will be "significant;" (5) Whether the requester has a commercial interest that would be furthered by the requested disclosure; and (6) Whether the magnitude of any identified commercial interest to the requestor is sufficiently large in comparison with the public interest in disclosure, that disclosure is primarily in the commercial interest of the requestor. If any responsive records are located, we will consider these factors in our evaluation of your request for a fee waiver.

You have also requested status as a "representative of the news media." The CFPB Interim FOIA regulations found at 12 C.F.R. Part 1070 specifically define "representative of the news media" as "any person or entity that gathers information of potential interest to a segment of the public, uses its editorial skills to turn the raw materials into a distinct work, and distributes that work to an audience." Based on a review of your website, it appears documents received as a FOIA request are posted in full on their own and are not utilized in the manner set forth above. Therefore, the CFPB has denied your request to be considered a "representative of the news media."

You have been determined to be a non-commercial requester and provisions of the FOIA allow the CFPB to recover part of the cost of complying with your request. You will be charged for the search (after the first two hours) and duplication (after the first 100 pages) costs in accordance with the CFPB Interim FOIA regulations as applicable to non-commercial requestors. The CFPB's FOIA Fee Schedule may be viewed at www.consumerfinance.gov/foia/foia-fee-schedule. You did

not indicate in your request a specific amount you were willing to pay. Therefore, in accordance with our regulations, your submission of a FOIA request is construed as an agreement to pay up to \$25.00. You will be contacted in the event there are additional fees related to the processing of your request beyond this amount.

For inquiries concerning your request, please contact Maria Gonzalez, at (202) 435-9654 and reference the FOIA request number above. If you are unable to reach Maria Gonzalez, please feel free to contact CFPB's FOIA Service Center at FOIA@cfpb.gov or by phone at 1-855-444-FOIA (3642).

Sincerely,

A handwritten signature in black ink, appearing to read 'M. Michalosky', with a stylized flourish extending from the end.

Martin Michalosky
FOIA Manager
Operations Division